

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

WALDEMAR CHABOWSKI,
Plaintiff

v.

CATERPILLAR INC. and
and MILTON CAT,
Defendants.

REMOVAL NOTICE

Civil Action No.:

TO: David W. Olson, Esq.
Brown Chiari, LLP
5775 Broadway
Lancaster, New York 14086-2360
Counsel for Plaintiff

Campbell, Campbell, Edwards & Conroy
One Constitution Plaza
Boston, Massachusetts 02129
Counsel for Defendant Caterpillar

PLEASE TAKE NOTICE that defendant Milton CAT has filed a Notice in the United States District Court for the Western District of New York for removal of this action.

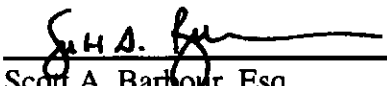
PLEASE TAKE FURTHER NOTICE that Milton CAT has at the same time filed with the United States District Court for the Western District of New York, a copy of the only pleading filed in this case to date, which was received on January 26, 2007, and which was filed and entered in the Erie County Supreme Court. A copy of said Notice of Removal is attached to this Notice and is hereby served upon you.

DATED: February 21, 2007

Respectfully submitted,

McNAMEE, LOCHNER, TITUS
WILLIAMS, P.C.

By:



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